

FILED
UNITED STATES DISTRICT COURT
IN THE UNITED STATES DISTRICT COURT ALBUQUERQUE, NEW MEXICO

FOR THE DISTRICT OF NEW MEXICO

MAR 1 2019

UNITED STATES OF AMERICA,)
vs.)
Plaintiff,)
vs.)
CARLANDREW ERIACHO,)
Defendant.)

MITCHELL R. ELFERS
CLERK

Cr. No. 18-CR-04166-JB

UNITED STATES' PROFFER OF EVIDENCE AT TRIAL

The United States respectfully submits that, were this matter to proceed to trial, the United States would prove the following facts beyond a reasonable doubt:

1. On or about September 6, 2017, on BIA Route Road 122, at approximately mile post 2.1, in Ramah, New Mexico, which is within the exterior boundaries of the Navajo Nation, and therefore Indian County as defined by Federal Law, Defendant was driving a vehicle while under the influence of alcohol.
2. Defendant and Jane Doe, along with their brother, were drinking alcohol throughout the day.
3. Defendant and Jane Doe are enrolled members of the Navajo Nation and "Indians" as defined by federal law.
4. In addition to operating the vehicle while under the influence of alcohol, Defendant was also speeding well above the posted speed limit of 30 miles per hour when he lost control of the vehicle and it crashed.
5. As a result of the manner in which Defendant was driving, Jane Doe was ejected from the vehicle and she died.

Respectfully submitted,

JOHN C. ANDERSON
United States Attorney

DAVID P. COWEN
Assistant United States Attorney
201 Third St. NW, Suite 900
Albuquerque, NM 87102
(505) 346-7274
(505) 246-7296 fax

I certify that I served a copy of the
foregoing pleading upon Counsel for
Defendant by e-mail.

David P. Cowen
Assistant United States Attorney